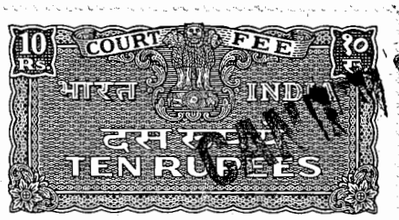

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Single Bench
PAGE No. 2

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

MISC. A. C. No.:- 520 /2006. **D.B.**

APPELLANT: - **Kalicharan,**

[Claimant] S/O Shri Sukhlal,
Aged: -30 Yrs. By caste Kewat,
R/O:-Village- Harrapara,
Post- Bhaiyathan, Tahsil-Surajpur,
District:- Surguja (C.G.)

: V E R S U S :

RESPONDENTS: - (Non-applicants)

1. **United India Insurance Com. Ltd.,**
Branch Office at-Near Ram Mandir,
Ambikapur Distt. Surguja (C.G.)

[Insurance Com of Jeep No. C.G. 15/ZD/ 0680]

2. **Ramesh Kumar Tiwari,** Age:- 22 Yrs,
S/O Anjani Prasad Tiwari,
R/O- Village-Jamdi,Post-Bhaiyathan,
Tahsil- Surajpur, Distt. Surguja (C.G.)

[Driver of Jeep No. C.G. 15/ZD/ 0680]

3. **Amit Kumar Sharma,** Age:- 35 Yrs,
S/O Shri B.M.Sharma,
R/O- Bhaiyathan, P.S. & Post-Bhaiyathan,
Tahsil- Surajpur, Distt. Surguja (C.G.)

[Owner of Jeep No. C.G. 15/ZD/ 0680]

P.R. No. 3837 dated 22/11/06
Presented by Shri J.P. Jadaun

-: MEMO OF MISC.APPEAL UNDER SECTION 173 OF THE MOTOR VEHICLE ACT. :-

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक M.A.(C).No.520/ **सन् 2006**

(17)

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	06/12/2006 Shri J.A. Lohani, counsel for the appellant. Heard on admission. The only point urged by the learned counsel in this appeal is that the learned M.A.C.T. failed to consider that the claimant had suffered 15% disability in his left leg due to fracture of the Left Thigh Femur Bone which required incision of a rod. However, upon a perusal of the impugned award, it is clear that the claimant hade failed to prove the fact of sustaining 15% disability since the claimant neither examined the Doctor who treated him nor proved the disability certificate. Despite this, the learned Tribunal awarded Rs. 43,000/- (Rs.20,000/- for the laid in period, Rs.10,000/- for treatment, Rs.2000/- for nourishment and food, Rs. 1000/- for attendant and Rs.10,000/- for pain and suffering). In this view of the matter, the award passed by the learned M.A.C.T. could not be faulted with on the ground urged by the learned counsel for the appellant. No further point had urged by the learned counsel for the appellant. This appeal is being devoid of any merit and is dismissed at the stage of admission. C.C. as per rules. **Sd/-** **Dilip Raosaheb Deshmukh** **Judge**	

Kvr

P.T.O.